IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE KURIAN JOSEPH
&
THE HONOURABLE MR. JUSTICE A.K.BASHEER

FRIDAY, THE 5TH JANUARY 2007 / 15TH PAUSHA 1928

WP(C).No. 669 of 2007(S)

AGAINST THE ORDER IN EP.85/03 IN
OP.238/1997 of FAMILY COURT,TRIVANDRUM
.....

PETITIONER:
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1. HENA RAJ, D/O.RAJESWARI,
RESIDING AT "SANTHIBHAVANAM",
PERUMKADAVILA DESOM, NEYYATTINKARA TALUK,
THIRUVANANTHAPURAM.

2. BINDU RAJ, D/O.RAJESWARI,
RESIDING AT DO. DO.

BY ADV. SMT.K.KUSUMAM

RESPONDENTS:

P.S.VIJAYAN, S/O.SADAVIVA PANICKER,
RAJESWARI BHAVAN, KUTTICHAL MELEMUKKU,
MANOORKARA VILLAGE, NEDUMANGAD TALUK.

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 05/01/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

KURIAN JOSEPH & A.K.BASHEER, JJ.

W.P.(C) No. 669 of 2007

Dated 5th January, 2007.

J U D G M E N T

Kurian Joseph, J.

The writ petition is filed mainly with the following prayer :-

> "To issue a writ of mandamus or other direction or order, directing the Family Court, Nedumangad to execute the decree sought for in Ext.P1 E.P.(E.P.6/2006) after disposing of the Ext.P4 E.72/2006 now pending in Ext.P1 E.P. as expeditiously as possible enabling the petitioners/decree holders to enjoy the fruits of the decree that is already passed vide Ext.P2 judgment, within a time frame as fixed by this Hon'ble Court."

2. Heard the learned counsel appearing for the petitioners. In the nature of the view we propose to take, and in the facts and circumstances of the case, we do not think it necessary to issue notice to the respondent since all that the petitioners pray is only for expeditious disposal of the execution proceedings pending before the Family Court. Therefore, there will be a direction to the Family Court, Nedumangad to expedite the proceedings on Exts.P1 and P4, giving priority to the case.

The writ petition is disposed of as above.

KURIAN JOSEPH, JUDGE.

A.K.BASHEER, JUDGE.

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KURIAN JOSEPH & A.K.BASHEER, JJ

W.P.(C) NO. OF 2004

J U D G M E N T

Dated 5th January, 2007.